

DECLARATION AND POWER OF ATTORNEY

As the below named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names.

We believe that we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **DILATION DEVICES AND METHODS FOR REMOVING TISSUE SPECIMENS**, the specification of which is attached hereto.

This application in part discloses and claims subject matter disclosed in earlier filed pending application Serial No. 09/057,303, filed on April 8, 1998, Serial No. 09/146,185 filed on September 1, 1998, Serial No. 09/159,467, filed on September 23, 1998, Serial No. 09/238,965 filed on January 27, 1999, Serial No. 09/356,187 filed on July 16, 1999 and Serial No. 09/477,255 filed on January 4, 2000.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by or any amendment(s) referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed: Prior Foreign Application(s)

None

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

United States Application Serial No. 09/057,303, filed on April 8, 1998;
United States Application Serial No. 09/146,185 filed on September 1, 1998;
United States Application Serial No. 09/159,467, filed on September 23, 1998;
United States Application Serial No. 09/238,965 filed on January 27, 1999;
United States Application Serial No. 09/356,187 filed on July 16, 1999; and
United States Application Serial No. 09/477,255 filed on January 4, 2000.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further

that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint the following attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

WILLIAM B. ANDERSON, Registration No. 41,585
Y. PING CHOW, Registration No. 30,740
DEREK P. FREYBERG, Registration No. 29,250
WALTER KURZ, Registration No. 37,373
EDWARD J. LYNCH, Registration No. 24,422
PRISCILLA H. MARK, Registration No. 41,970
WILLIAM SCHMONSEES, Registration No. 31,796
SOODABEH TRONSON, Registration No. 41,354
HERWIG von MORZE, Registration No. 29,484
JAMES ALLAN FOX, Registration No. 38,455
MARINA HEUSCH, Registration No. 47,647

of the firm
Heller Ehrman White & McAuliffe
275 Middlefield Rd.
Menlo Park, CA 94025-3506
Telephone: (650) 324-7000
and

COLIN D. BARNITZ, Registration No. 35,061
WILLIAM A. BLAKE, Registration No. 30,548
GEORGE M. COOPER, Registration No. 20,201
FELIX J. D'AMBROSIO, Registration No. 25,721
DOUGLAS R. HANSCOM, Registration No. 26,600
JIM W. HELLWEGE, Registration No. 28,808
ERIC S. SPECTOR, Registration No. 22,495

of the firm:
Jones Tullar & Cooper, P.C.
2001 Jefferson Davis Highway
Box 2266, EADS Station
Arlington, VA 22202
Telephone: (703) 415-1500

Address all correspondence and direct all telephone calls to:

Edward J. Lynch
HELLER EHRMAN WHITE & McAULIFFE
275 Middlefield Road
Menlo Park, CA 94025-3506
Direct Dial: (650) 324-7098
Facsimile: (650) 324-0638

Full name of First and Joint Inventor: Paul Lubock

Executed on ____ day of _____, 2001.

Full Legal Name of First and Joint Inventor: Paul Lubock

Residence Address: 30 Bethany, Laguna Niguel, CA 92677

P.O. Box Address: (same)

Citizenship: USA

Full name of Second and Joint Inventor: Richard L. Quick

Executed on ____ day of _____, 2001.

Full Legal Name of Second and Joint Inventor: Richard L. Quick

Residence Address: 22970 Bouquet Canyon, Mission Viejo, CA 92677

P.O. Box Address: (same)

Citizenship: USA